

RECEIVED  
CENTRAL FAX CENTER

SEP 09 2005

MYERS BIGEL SIBLEY & SAJOVEC  
Patent Attorneys  
4140 Parklake Avenue, Suite 600, Raleigh, NC 27612  
P.O. Box 37428, Raleigh, NC 27627  
Telephone 919-854-1400  
Facsimile 919-854-1401

TELECOPIER TRANSMISSION  
COVER SHEET

CERTIFICATE OF FACSIMILE TRANSMISSION  
UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office for Commissioner for Patents, P.O. Box 1450, Alexandria, VA 2213-1450 on September 9, 2005 via facsimile number **(571) 273-8300**.

  
Signature

Tracy Wallace  
Typed or Printed Name of Person Signing

Certificate

Attorney Docket No. 9536-3

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Vance et al.

Application No.: 10/623,930

Filed: July 21, 2003

For: *Compositions and Methods for the Modulation of Gene Expression in Plants*

Examiner: Ashwin D. Mehta

Group Art Unit: 1646

Confirmation No.: 6465

## Submittal of:

Cover page (1 page)

Revocation of Power of Attorney and New Power of Attorney by  
Assignee (2 pages)Total pages: 3Confidentiality Note

The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message to us at the address above via the United States Postal Service. THANK YOU.

3 of 18

SEP 09 2005

Attorney Docket No. 9536-3

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Vance et al. Examiner: Ashwin D. Mehta  
Application No.: 10/623,930 Group Art Unit: 1646  
Filed: July 21, 2003 Confirmation No.: 6465  
For: Compositions and Methods for the Modulation of Gene Expression in Plants

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REVOCATION OF POWER OF ATTORNEY  
AND NEW POWER OF ATTORNEY BY ASSIGNEE**

Sir:

Assignee hereby revokes all powers of attorney previously granted with respect to the above-identified patent application, and appoints:

**USPTO Customer No. 20792**  
Myers Bigel Sibley & Sajovec  
Post Office Box 37428  
Raleigh, North Carolina 27627  
Telephone: 919/854-1400  
Facsimile: 919/854-1401

of the firm of Myers Bigel Sibley & Sajovec as its attorney, with full power of substitution and revocation to transact all business in the Patent and Trademark Office in connection therewith.

Please direct all communications as follows:

Karen A. Magri  
Registration No. 41,965  
Myers Bigel Sibley & Sajovec  
Post Office Box 37428  
Raleigh, North Carolina 27627

Assignee hereby elects under 37 C.F.R. § 3.71 to prosecute this patent application.

The undersigned Assignee hereby certifies that it is the assignee of the entire right, title, and interest in the patent application identified above by virtue of a chain of title from the inventor of the patent application identified above to the current assignee as shown below:

1. From Vickie Bowman Vance; Lewis Howard Bowman; and Allison Mallory to The University of South Carolina, which Assignment was recorded in the Patent and Trademark Office on February 2, 2004 at Reel 014937, Frame 0757.

In re: Vance et al.  
Serial No.: 10/623,930  
Filed: July 21, 2003  
Page 2

The documents in the chain of title of the patent application identified above have been reviewed and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the Assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

The University of South Carolina

By:

  
Thomas L. Stepp

Title: Secretary, Board of Trustees and University Secretary & Treasurer

Date: AUG 18 2005